

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO
CHIEF U.S. MAGISTRATE JUDGE MINUTE ENTRY**

CRIMINAL PROCEEDINGS: ARRAIGNMENT ON SECOND SUPERSEDING INDICTMENT

MAGISTRATE JUDGE: Larry M. Boyle	DATE: September 28, 2004
DEPUTY CLERK: Lynette	(10) 10:15-10:30 am
Pocatello, IDAHO	ESR: Nicole

**UNITED STATES OF AMERICA v. DUSTIN HOLM
CR. 03-220-E-BLW**

**Counsel for: United States (AUSA): Jack Haycock
Defendant: Kelly Kumm-CJA Appointed
Probation: LaVetra Castles**

- (X) Counsel advised Defendant has previously appeared. Defendant was housed at Ada County and now at Bannock County for access to counsel.**
- (X) Defendant advised of Constitutional Rights & Right to Counsel & JURY TRIAL.**
- (X) Defendant provided a copy of the SECOND SUPERSEDING INDICTMENT and waived reading. Court requested the Govt. state the differences in the new Indictment.**
- (X) Court advised defendant of Maximum Penalties. As stated on the record.**
- (X) Court previously appointed counsel.**
- (X) Defendant entered NOT GUILTY Plea.**

(X) TRIAL SETTING:

Court advised the Order setting the Jury Trial for 1:30 pm, NOVEMBER 8, 2004, at POCATELLO, before Chief Judge Winmill and the Pre-Trial Conference for OCTOBER 28, 2004 at 4:30 p.m., at the Pocatello Federal Building, remains in effect (Doc. 28).

(X) Government's Motion to Modify Conditions of Detention (Doc. 20): MOOT.

(X) Defendant's Motion to Modify Conditions of Detention (Doc. 25) WITHDRAWN without prejudice by defendant. Defense counsel and USMS to administratively work out providing defendant access to counsel.

(X) Defendant remanded to the custody of the USMS.

cc. LaDonna -to calendar